

# OROVILLE FACILITIES RELICENSING COLLABORATIVE PROCESS

## Proposed Structure and Purpose

### ***Introduction***

The California Department of Water Resources (DWR) filed a formal request with the Federal Energy Regulatory Commission (FERC) on \_\_\_\_\_ seeking approval for an Alternative Licensing Procedure (ALP) for the relicensing of the Oroville Facilities. DWR intends to use a collaborative process, open to anyone interested in the relicensing of the facilities. To that end, DWR is initiating a continuing series of meetings with state and federal agencies, Indian Tribes, local government officials and interested members of the public that will actively participate as a collaborative team. DWR envisions that through facilitated discussions, brainstorming, and presentation of individual participants' goals, the collaborative group will develop universal goals and objectives that 'everyone can live with'. These goals will then guide the collaborative team through the relicensing process to settlement agreements and ultimately, a new license for the Oroville Facilities. The following proposed three-tiered framework sets forth a starting point for discussion and ultimate agreement on a collaborative process strategy.

### ***Three-Tier Structure***

#### Plenary Group

Keeper of the "Collaborative Dream"

Provides Global Perspective (Identifies Potential Conflicts and Balances Resource Plans)

Shepherds Collaborative/Settlement Process from Beginning to End

Stays Informed of Work Group Progress

Reviews Work Group Recommendations for Potential Conflicts with Other Work Groups or

Timely Pursues Further Evaluation

Meets Regularly

#### Work Groups

Addresses Resource Issues

Considers Existing and New Information

Keeps Plenary Group Informed

Develops Solutions: First Phase Studies, Second Stage Protection, Mitigation, & Enhancement measures (PM& Es)

Makes Recommendations to Plenary Group

Meets Regularly (More Frequently than Plenary Group)

#### Task Forces

Subsets of Work Groups that may include members from more than one Work Group

Convenes to perform studies to address specific issues that may involve more than one resource

Established and meets as needed

## ***Purpose and Mission of Groups***

Plenary Group. The Plenary Group is the keeper of the “collaborative dream” – it is responsible for shepherding the collaborative process from the beginning to end. Since the FERC regulatory process requires DWR to submit a license application no later than January 31, 2005 regardless of the status of the collaborative process, it is incumbent on the Plenary Group to maintain a schedule consistent with that requirement. To do this, the Plenary Group will establish group goals and objectives, develop an approach to achieve those goals and objectives, and maintain a close linkage to the Work Groups to make sure that FERC/DWR deadlines are satisfied.

The Plenary Group will maintain a global perspective and work to resolve issues that may arise within and between Work Groups. The Plenary Group will review the progress of all Work Groups to consider how their proposals/recommendations respecting studies and PM&Es interrelate and how they may interact (positively or negatively) with other issues. The Plenary Group will identify conflicting proposals while there is still time to reconcile differences and adjust the proposals and provide all Participants the opportunity to discuss the development of overall mix of studies, alternatives, and, eventually, PM&E proposals.

The Plenary Group will rely heavily on input from Work Groups when performing its responsibilities, in particular with respect to Work Group recommendations as follows:

Work Group Recommendations. When a Work Group has reached consensus on an action item(s), the Work Group will provide a written recommendation to the Plenary Group regarding the action item(s).

Presumption of Acceptability. The Work Group’s recommendations will be presumed to be acceptable unless a Plenary Group representative informs the Plenary Group of specific concerns regarding the recommendation and asks the Work Group to further evaluate the recommendation.

Evaluation of Recommendation. If possible, the recommendation will be discussed at the next Plenary Group Meeting or, if that is not practicable (or necessary), the discussion will take place at a time agreed to by the Plenary Group, but prior to the recommendation being implemented. Members of the relevant Work Group will be invited to attend and participate at the Plenary Group meeting where the recommendation is discussed.

Time-Sensitive Recommendations. If the recommendation involves time-sensitive action items, when the written recommendation is sent to the Plenary Group it will clearly identify a deadline (no shorter than one week from the receipt of the recommendation) for questions or objections by Plenary Group representatives. If a Plenary Group representative asks for a further evaluation of a time-sensitive recommendation, it will take place promptly by telephone conference call or a special meeting, as appropriate.

A Work Group representative will attend each Plenary Group meeting and brief the Plenary Group on the Work Group’s progress and answer any clarifying questions regarding

recommendations. The Work Group representative will be responsible for briefing their subgroup on what took place at the Plenary Group meeting.

The Plenary Group will meet regularly. It is anticipated that during the initial organizational period, the Plenary Group may need to meet monthly however, it is expected that once established, the meetings will become less frequent.

Work Groups. Work Groups will be established as necessary to deal with resource issues. It is anticipated that there will be at least six Work Groups: (1) Cultural Resources, (2) Recreation and Socioeconomics, (3) Land Use, Land Management and Aesthetics, (4) Aquatics (including Water Quality), (5) Terrestrial Resources, and (6) Engineering and Operations. (The Aquatics and Terrestrial Resources Work Groups will be initiated as a single Environmental Work Group.) More Work Groups might be formed or, for specific issues or studies, members of individual Work Groups may be combined into a Task Force. The Work Groups will define resource goals and objectives, develop an approach to achieve those goals and objectives, identify issues, develop study plans, establish and maintain critical paths, and resolve issues. At the beginning of the process the Work Groups will focus on designing studies that will result in the gathering of credible scientific information relevant to the decisions that need to be made in the relicensing process; later the Work Groups will focus on developing mutually agreeable PM&Es.

The Work Groups will examine the information necessary to resolve specific resource issues and use available and new information from the relicensing studies to propose solutions to problems or develop PM&E proposals to address issues. The Work Groups will focus on a variety of potential solutions to study issues and viable PM&E measures, and will consider the expected effectiveness of these solutions.

Work Group meetings will be held as necessary, but they are likely to occur more frequently than Plenary Group meetings.

Task Forces. Task Forces will be convened at the request of Work Groups in coordination with the Plenary Group as appropriate to assist in performing studies requiring specialized expertise specific to individual issues or that require input on more than one resource area. For example, a Task Force may be organized to address an issue that relates to both aquatic resources and recreational interests. Task Forces will report results of activities directly to the Work Groups. It is anticipated that Task Forces will meet as needed to gather information and resolve questions specific to individual issues that may arise within Work Groups.